

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

S2 14 Cr. 534 (JSR)

DECLARATION OF  
PRIYA CHAUDHRY

v.

HARVEY NEWKIRK,

Defendant.  
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PRIYA CHAUDHRY declares, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am a partner in Harris, O'Brien, St. Laurent & Chaudhry LLP, attorneys for the defendant Harvey Newkirk ("Newkirk"). I submit this declaration in support of Newkirk's omnibus motion. I am fully familiar with the facts set forth in this Declaration.

2. I have attached to this Declaration documents relevant to Newkirk's motion. These documents are as follows:

3. Exhibit A is Indictment S2 in this case.

4. Exhibit B is a September 12, 2013 Wall Street Journal article, "Maxim Magazine Sold, With Plans to Create a TV Channel."

5. Exhibit C is a set of notes from Newkirk's interview by Secret Service Special Agent Paul Deal and FBI Special Agent James Hilliard on February 12, 2014 at the New York offices of Bryan Cave LLP.

6. Exhibit D is an email chain from February of 2014 between attorneys from Bryan Cave LLP and Alston & Bird LLP.

7. Exhibit E is a transcript of a hearing before New York State Supreme Court Justice Jeffrey Oing in *Opengate Capital Group v. Calvin R. Darden, Sr., Darden Media Holdings, LLC, and Darden Media Group, LLC*.

8. Exhibit F is a set of notes of interviews of Bryan Cave LLP attorneys conducted by the government, and which the government provided to the defense as part of the discovery in this case.

9. Exhibit G is the transcript of the status conference in this case held on June 12, 2015.

10. Exhibit H is an email from Moses Silverman of Paul, Weiss, Rifkind, Wharton & Garrison LLP, who represents Bryan Cave, to Reid Skibell of my firm, which in turn attaches an email dated February 13, 2014 at 1:35 a.m. from Mary Beth Buchanan of Bryan Cave LLP to various Bryan Cave attorneys, concerning Newkirk's February 12, 2014 interview by government agents. I wish to note that several weeks ago we requested from Bryan Cave's counsel copies of any Bryan Cave documents reflecting that Newkirk was ever given an *Upjohn* warning prior to any interviews. We have received nothing in response to that request other than Ms. Buchanan's email, which we received today.

Dated: July 9, 2015  
New York, New York



PRIYA CHAUDHRY, ESQ.